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February 10, 2014

Via U.S. Mail and Email

Email: chung.angela@epa.gov
Angela Chung
Water Quality Standards Unit Manager
U.S. Environmental Protection Agency
1200 Sixth Ave, Suite 900, OWW 131
Seattle, WA 98101

RE: Revised FOIA Request, No. EPA R10-2014-002160

Dear Ms. Chung:

Pursuant to our discussion of this matter, this is a resubmittal of previous request for EPA Region 10 records pursuant to the Freedom of Information Act (FOIA), with additional information regarding a fee waiver, on behalf of the Northwest Pulp & Paper Association (NWPPA). The substance of our request remains unchanged.

Please provide any and all public records related in any way to the development of human health water quality standards by the state of Washington from November 1, 2010 to the date of your response to this request. This request includes without limitation, public records related to the state of Washington's review of its water quality standards, its development of a technical support document on fish consumption rates, sediment management standards to protect human health, and human health water quality standards including without limitation, any discussions relating to the Department of Ecology's Policy Forum, Delegates' Table, and Governor's Informal Advisory Group, as well as any communications or consultations with Northwest Tribes, the Columbia River Inter-Tribal Fish Commission, Northwest Indian Fisheries Commission, or environmental NGO or nonprofit organizations.

This request pertains to, without limitation, any public records received by or considered by the following individuals: Jannine Jennings, Lon Kissinger, Christine Psyk, Daniel Opalski, Mary Lou Soscia, Tom Eaton, and Dennis McClerran.

This request further seeks any and all public records related to tribal fish consumption studies in the State of Idaho from and after July 1, 2012, including without limitation any studies, data, reports, communications and records re bioaccumulation of toxics in tissue done by or for the Umatilla Tribe or any other Indian tribe or tribal community.

February 10, 2014

Page 2

Finally, the request seeks any public records relating to communications or consultations with Northwest tribes regarding human health water quality criteria in Washington. Any public records related to *Puget Soundkeeper Alliance, et al v. U.S. EPA et al*, Case No. 2:13-cv-01839, Western District of Washington. Any settlement offer or settlement discussions with plaintiffs pertaining to the above cited case. Any public records related to "A Petition for Rulemaking" by Nina Bell, Northwest Environmental Advocates to EPA dated October 28, 2013, including without limitation any and all communications with Nina Bell, NWEA, or their representatives regarding the petition for rulemaking.

NWPAA requests a waiver or reduction of fees with this request pursuant to 40 CFR § 2.107(l)(5) and 40 C.F.R. § 2.107(l). NWPPA meets all of the factors EPA considers in a request to waive fees associated with a FOIA request. NWPPA is a nonprofit organization representing pulp and paper mills in the Western United States, including Idaho, Oregon and Washington. The subject of the requested documents concerns the operations of the government and we have worked with EPA Region 10 to refine and focus the request. The disclosure of the documents is likely to contribute to an understanding of government operations and the agency's activities around human health water quality criteria. The contribution to understanding will be for members of NWPPA and the public generally through litigation, rulemaking, and other public decisions regarding the development of human health criteria in Washington, Idaho and other states. This is likely to be a significant contribution to public knowledge in light of the unique role Region 10 is playing nationally in the development of the human health water quality criteria. NWPPA has no direct commercial interest in the requested information beyond the fact that revised human health criteria in Washington and Idaho may have a substantial impact on water quality compliance for the association's members. In this instance the public's interest in access to the requested information outweighs any commercial interest.

If possible, we would like to receive copies of the requested records in electronic format. If you deny all or any part of this request, please cite each specific exemption you think justifies your refusal to release information. Please do not hesitate to contact me if you have any questions regarding this request. Thank you in advance for your assistance.

Sincerely,

TUPPER MACK WELLS PLLC



Cara Kadoshima Vallier

cc: Christian McCabe, NWPAA